

## THE VIRGINIA STATE BOARD OF ELECTIONS

# VIRGINIA VOTERS' ELECTION DAY COMPLAINT FORM

### How to file a Complaint Using the Voter Grievance process

If you feel your voting rights have been violated or that you may have witnessed an election law being broken, contact the State Board of Elections at 1-800-552-9745, or via email at [info@sbe.virginia.gov](mailto:info@sbe.virginia.gov).

First, review the "Voters' Rights and Responsibilities" poster in the polling place or on our web site ([www.sbe.virginia.gov](http://www.sbe.virginia.gov)). Make sure you meet the requirements that allow you to vote. If you do not understand the requirements, ask an election official to explain them to you.

If you feel you met all the requirements but were still not allowed to vote, ask an election official to contact the Voter Registrar's office about your case **before you leave the polling place**. The Voter Registrar will investigate your case and may be able to resolve the problem immediately.

If you are still not satisfied with the outcome, call the State Board of Elections at 1-800-552-9745 as soon as possible, **preferably before the polls close**. The sooner the State Board knows about your problem, the more likely you will get a satisfactory answer on Election Day.

If you still believe your voting rights may have been violated or may be violated in the future, you may file a complaint with the State Board of Elections. Inside are instructions on how to file a complaint, time lines, and the route your complaint will follow.

**NOTE: You have 10 days from the date of the incident to file a complaint.**

## **How to file a complaint:**

1. This complaint form is for complaints alleging violations of Title III of the Help America Vote Act of 2002 (HAVA). Title III deals with voting equipment, accessibility, provisional voting, voting information, the computerized statewide voter list used to create pollbooks, identification requirements for voting in federal elections if registration was by mail, and contents of registration forms. For other complaints, please use the online complaint form available at [www.sbe.virginia.gov](http://www.sbe.virginia.gov) Fill out the attached Complaint Form (also available at [www.sbe.virginia.gov](http://www.sbe.virginia.gov)) and mail to the address below. To qualify as a formal complaint under this procedure, this Complaint Form must be used and notarized prior to submission. Complaints alleging Title III violations that do not qualify as formal complaints will be handled as informal complaints.
2. Mail completed Complaint Forms to:  
Deputy Secretary  
Virginia State Board of Elections  
1100 Bank Street, 1<sup>st</sup> Floor  
Richmond, VA 23219-3642

## **Your complaint will be reviewed using the following processes:**

### **Non-HAVA Complaints and Informal HAVA Complaints:**

If you file this type of complaint, you should expect a response from a member of the State Board of Elections staff within 30 days of submitting the complaint. Responses will be provided via the method the complainant used to file the complaint (i.e. e-mailed complaints will receive a response via e-mail).

### **HAVA Title III Complaints:**

If your complaint alleges a violation of Title III of the Help America Vote Act, it will be treated as a formal complaint if notarized. You can expect the following steps if you file this type of complaint:

1. Your complaint will be acknowledged in writing and you will be offered the opportunity to request a hearing on the record with State Board of Elections staff. (Similar complaints may be consolidated at the discretion of the Board.)
2. If a hearing is granted, it will be held in-person or by phone, at the discretion of SBE.
3. Once all research about the complaint has been completed, a final determination letter will be signed by the Secretary or Deputy Secretary of the State Board of Elections. You can expect a response within 90 days of receipt of the complaint by SBE.
4. SBE may request an extension of the 90 day response period. If a response is not provided to you and you have not granted SBE an extension, the complaint will be resolved within 60 days using alternative dispute resolution procedures.
5. All final determination letters regarding HAVA Title III complaints will be posted on SBE's website.
6. You may appeal a final determination letter to the full State Board of Elections within 15 days of issuance. The Board may decide the appeal based on the information already available in the record or may determine to hold a hearing regarding the matter. The Board will decide your appeal within 45 days.

# **VIRGINIA VOTERS' ELECTION DAY COMPLAINT FORM**

Ask an Election Official to help you if you need assistance completing this form.  
Please write legibly.

<b>Your Name (last, first, middle)</b>		<b>Today's Date</b>	
<b>Your Address (Number and Street)</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Your Daytime telephone number</b>		<b>Email address (optional)</b>	
<b>Polling Place Name</b>			
<b>Polling Place Address (Number and Street)</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Name of Election Official or Volunteer if known</b>			
<b>Date of Incident</b>			
<b>Describe Your Complaint (attach additional pages if necessary)</b>			
<b>Your Signature</b>			
<b>Notary's Signature (required for formal HAVA Title III complaints)</b>			<b>Date</b>
<b>Notary's Commission Expiration Date</b>			

<b>OFFICE USE ONLY</b>	
<b>Complaint Number:</b>	
<b>Date Received:</b>	
<b>SBE Staff Member Assigned:</b>	
<b>Hearing Date:</b>	
<b>Final Determination Issued:</b>	